

REMARKS

This application has been carefully reviewed in light of the Office Action dated January 25, 2005. Claims 1 to 8, 13, 14, 16 and 18 to 37 remain in the application, with Claims 9 to 12, 15 and 17 having been cancelled herein. Claims 1, 9, 13 to 18, 31 to 33, 36 and 37 are the independent claims. Reconsideration and further examination are respectfully requested.

Initially, Applicant notes that Claims 18 to 32 were subject to a restriction requirement and were not elected for prosecution. However, the present Office Action failed to provide a status of those claims. Applicant presumes that the Examiner has withdrawn Claims 18 to 32 from further consideration and those claims are being treated as such herein. However, clarification of the status of Claims 18 to 32 is respectfully requested in the next communication.

Claim 37 was rejected under 35 U.S.C. § 101 as allegedly being drawn to non-statutory subject matter. While Applicant disagrees with the rejection, the preamble of Claim 37 has nonetheless been amended for clarification of the claimed statutory subject matter. Accordingly, withdrawal of the § 101 rejection is respectfully requested.

Claims 6, 8 to 13, 15, 17 and 33 were rejected under 35 U.S.C. § 112, second paragraph. The rejected claims have either been cancelled, thereby obviating the rejection thereof, or have been amended giving due consideration to the points noted in the Office Action. Accordingly, withdrawal of the § 112 rejections is respectfully requested.

Claims 1, 3, 5, 7, 14, 16 and 33 to 37 were rejected under 35 U.S.C. § 102(e) over U.S. Patent No. 6,119,108 (Holmes), Claims 9, 10, 12, 15 and 17 were rejected under § 102(e) over U.S. Patent No. 6,073,124 (Krishnan), Claim 2 was rejected under 35

U.S.C. § 103(a) over Holmes in view of U.S. Patent No. 6,021,492 (May), Claims 4 and 6 were rejected under § 103(a) over Holmes, Claim 8 was rejected under § 103(a) over Holmes in view of U.S. Patent No. 5,337,357 (Chou), Claim 11 was rejected under § 103(a) over Krishnan, and Claim 13 was rejected under § 103(a) over Holmes in view of Krishnan. Reconsideration and withdrawal of the rejections are respectfully requested.

Initially, Applicant notes that the rejections of Claims 9 to 12, 15 and 17 are believed to be obviated by the cancellation of those claims. Accordingly, the grounds for rejection will not be addressed further herein.

Turning now to the invention. it concerns outputting an image with embedded information. According to one aspect of the invention, an image processing apparatus enters payment information on an addressee of fee billing from an information communication apparatus. The entered payment information is stored in a memory and then the payment information stored in the memory is added to the entered image. The image with the added payment information is output by the information processing apparatus and the stored payment information is deleted from the memory.

In a similar aspect of the invention, predetermined information to be embedded in an input image is input and stored in a memory. An inquiry is then performed to determine whether or not the stored predetermined information is effective. If the stored predetermined information is determined to be effective, then it is embedded in the image, which is then output. Once the image with the embedded predetermined information is output, the stored predetermined information is deleted from the memory.

With specific reference to the claims, amended independent Claim 1 is an image processing apparatus which is connected with an information communication apparatus, comprising first input means for entering payment information on an addressee

of fee billing from the information communication apparatus, memory control means for storing the payment information entered by the first input means in a memory, second input means for entering an image, addition means for adding the payment information stored in the memory by the memory control means to the image entered by the second input means in a manner not easily recognizable to human eyes, output means for outputting the image to which the payment information is added by the addition means, and deletion means for deleting the payment information from the memory after the addition means adds the payment information to the entered image.

Amended independent Claims 13, 14 and 16 are system, method and storage medium claims, respectively, that substantially correspond to Claim 1.

Amended independent Claim 33 is an image processing apparatus comprising image input means for entering an image, information input means for entering predetermined information to be embedded in the image entered by the image input means, memory control means for storing the predetermined information entered by the information input means in a memory, inquiry means for inquiring to the exterior whether the predetermined information stored in the memory by the memory control means is effective, embedding means for embedding the stored predetermined information into the entered image if the inquiry means identifies that the predetermined information is effective, and deletion means for deleting the predetermined information from the memory after the embedding means embeds the predetermined information to the entered image.

Amended independent Claims 36 and 37 are method and computer medium claims, respectively, that substantially correspond to Claim 33.

The applied art, alone or in any permissible combination, is not seen to disclose or to suggest the features of the present invention. More particularly, with regard

to Claims 1, 13, 14 and 16, the applied art is not seen to disclose or to suggest entering payment information on an addressee of fee billing from an information communication apparatus and storing the payment entered information in a memory, and deleting the payment information from the memory after the payment information is added to an entered image that is output. Similarly, with regard to Claims 33, 36 and 37, the applied art is not seen to disclose entering predetermined information to be embedded in an entered image entered and storing the predetermined information in a memory, and deleting the predetermined information from the memory after the predetermined information is embedded to the entered image.

Holmes is seen to disclose an electronic object purchase system in which, when accepting the purchase of a user access license, the user enters sensitive user information so that a desired electronic object may be downloaded with the sensitive user information from a database. However, Holmes is not seen to disclose or to suggest the foregoing features of Claims 1, 13, 14, 16, 33, 36 and 37.

Krishnan is merely seen to disclose a digital commerce system (DCS) in which a DCS client communicates with a DCS server. Software components are downloaded to the client for security and to check whether or not requested digital merchandise is properly licensed for purchase. However, Krishnan is not seen to add anything that, when combined with Holmes, would have disclosed or suggested the present invention.

May and Chou have been studied but are not seen to add anything that, when combined with Holmes and/or Krishnan, would have resulted in the above features of the present invention.

In view of the foregoing amendments and remarks, all of Claims 1 to 8, 13, 14, 16, and 33 to 37 are believed to be allowable.

No other matters having been raised, the entire application is believed to be in condition for allowance and such action is respectfully requested at the Examiner's earliest convenience.

Applicant's undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

  
\_\_\_\_\_  
Attorney for Applicant  
Edward A. Kmett  
Registration No.: 42,746

FITZPATRICK, CELLA, HARPER & SCINTO  
30 Rockefeller Plaza  
New York, New York 10112-2200  
Facsimile: (212) 218-2200

CA\_MAIN 96614v1